

## NOTICE TO APPLICANTS FOR A LICENSE TO MANUFACTURE AND/OR DISTRIBUTE FOOD AT WHOLESALE FROM A RESIDENTIAL KITCHEN

It is important that applicants for a license to manufacture and/or distribute food at wholesale from a Residential Kitchen remember the following:

### You Must:

- Meet the relevant requirements of 105 CMR 500.000: Good Manufacturing Practices
- Meet the requirements of 105 CMR 520.000: Labeling
- Manufacture and/or distribute only non-potentially hazardous foods, e.g. cakes, breads, brownies, etc. and foods that do not require refrigeration.
- Manufacture all products in your home's kitchen
- Employ only family members

### You May Not Manufacture:

- Low-acid foods packaged in hermetically sealed containers
- Modified atmosphere packaged foods
- Acidified foods
- Dairy, seafood, meat or poultry products
- Any potentially hazardous foods (phf's)

### Remember:

- A potentially hazardous food is defined as:
  - Any food or ingredient, natural or synthetic, in a form capable of supporting
    - (1) the rapid and progressive growth of infectious or toxigenic microorganisms or
    - (2) the slower growth of *C. botulism*. Included are any foods of animal origin, either raw or heat treated, and any foods of plant origin which have been heat treated and raw seed sprouts.
    - (3) excluded are the following:
      - (a) air dried hard boiled eggs with shells intact;
      - (b) foods with a water activity ( $a_w$ ) value of 0.85 or less;
      - (c) foods with a hydrogen concentration (pH) level of 4.6 or below;
      - (d) foods in unopened hermetically sealed containers, which have been commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution; and,
      - (e) foods for which laboratory evidence (acceptable to the Department) demonstrates that rapid and progressive growth of infectious and toxigenic microorganisms or the slower growth of *C. botulism* cannot occur.